



K – 20 Competitiveness Subcommittee

Wednesday, February 23, 2011

10:15 AM – 4:00 PM

17 HOB

Action Packet

**Dean Cannon
Speaker**

**Erik Fresen
Chair**

COMMITTEE MEETING REPORT
K-20 Competitiveness Subcommittee

2/23/2011 10:15:00AM

Location: Morris Hall (17 HOB)

Summary:

K-20 Competitiveness Subcommittee

Wednesday February 23, 2011 10:15 am

PCB KCOS 11-01 Favorable With Amendments (4)

Yeas: 11 Nays: 4

Committee meeting was reported out: Wednesday, February 23, 2011 5:24:52PM

COMMITTEE MEETING REPORT
K-20 Competitiveness Subcommittee

2/23/2011 10:15:00AM

Location: Morris Hall (17 HOB)

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Erik Fresen (Chair)	X		
Janet Adkins	X		
Douglas Broxson	X		
Dwight Bullard	X		
Rachel V. Burgin	X		
Charles Chestnut IV	X		
Gwyndolen Clarke-Reed	X		
Marti Coley	X		
Richard Corcoran	X		
Daniel Davis	X		
Reggie Fullwood	X		
Jeanette Nufiez	X		
W. Keith Perry	X		
Betty Reed	X		
Carlos Trujillo	X		
Totals:	15	0	0

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K-20 Competitiveness Subcommittee

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Location: Morris Hall (17 HOB)

PCB KCOS 11-01 : Education Personnel

Favorable With Amendments (4)

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Janet Adkins	X				
Douglas Broxson	X				
Dwight Bullard		X			
Rachel V. Burgin	X				
Charles Chestnut IV		X			
Gwyndolen Clarke-Reed		X			
Marti Coley	X				
Richard Corcoran	X				
Daniel Davis	X				
Reggie Fullwood			X		
Jeanette Nufiez	X				
W. Keith Perry	X				
Betty Reed		X			
Carlos Trujillo	X				
John Legg (Ex Officio)	X				
Erik Fresen (Chair)	X				
Total Yeas: 11		Total Nays: 4			

Appearances:

PCB KCOS 11-01

Ryan West, Director (Lobbyist) - Proponent
 Florida Chamber of Commerce, Education & Economic Development
 136 South Bronough Street
 Tallahassee Florida 32301
 Phone: (850)521-1251

PCB KCOS 11-01

Megan Allen, Teacher (General Public) - Opponent
 7002 N. Duncan Ave.
 Tampa Florida 33604
 Phone: (813)748-1709

PCB KCOS 11-01

Shanna Fox, Teacher (State Employee) (General Public) - Opponent
 1020 Sunshine Way SW
 Winter Haven Florida 33880
 Phone: (863)585-5694

PCB KCOS 11-01

Cathy Boehme, Science Teacher (General Public) - Information Only
 4386 Pine Ville Circle
 Pace Florida 32571
 Phone: (850)602-3330

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Location: Morris Hall (17 HOB)

PCB KCOS 11-01

Patricia Levesque, Executive Director (Lobbyist) - Proponent

Foundation for Florida's Future
215 S. Monroe Street, Suite 130
Tallahassee FL 32301
Phone: (850)391-3070

PCB KCOS 11-01

Pamela Burtnett, Education Specialist (General Public) - Opponent

Florida Education Association
741 E. 8th Ave.
Mt. Dora Florida 32757
Phone: (352)383-8240

PCB KCOS 11-01

Rhonda Lochiatto, Teacher (General Public) - Proponent

1784 Concert Rd.
Deltona Florida 32738
Phone: (407)739-5875

PCB KCOS 11-01

Gail Rager, Vice President (General Public) - Opponent

Lake County Education Association
1311 Lee Ct
Leesburg Florida 34748
Phone: (352)787-2050

PCB KSOC 11-01

Savahna Nilsen, Teacher (General Public) - Proponent

7501 E. Treasure Dr. #4P
North Bay Village Florida 33141
Phone: (786)664-7282

PCB KCOS 11-01

Rose Sedely, Program Specialist - Teacher (General Public) - Opponent

Lake County School District
311 S. Exeter Street
Eustis Florida
Phone: (352)357-2733

PCB KCOS 11-01

Matthew Minnick, Law Student (General Public) - Proponent

2626 E. Park Ave. Apt 8208
Tallahassee Florida 32301
Phone: (850)933-8809

PCB KCOS 11-01

Polly Burkhart, Teacher Coach (General Public) - Opponent

Polk County Teachers
304 S. Lake Mariam Dr.
Winter Haven Florida 33884
Phone: (863)206-6733

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Location: Morris Hall (17 HOB)

PCB KCOS 11-01

Elizabeth Muller (General Public) - Proponent

2626 E. Park Ave.

Tallahassee Florida 32301

Phone: (407)257-5196

PCB KCOS 11-01

Mike Rydlih, Teacher (State Employee) - Opponent

9601-68 Miccosukee Rd.

Tallahassee Florida 32309

Phone: (850)877-5084

PCB KCOS 11-01

Ximema Hartsoik, Director of Outreach (General Public) - Proponent

Student First

2100 Lee Highway #309

Arlington Florida 22201

PCB KCOS 11-01

Chris Ott, Teacher (General Public) - Opponent

2436 NE 28 PL

Gainesville Florida 32605

Phone: (352)371-6926

PCB KCOS 11-01

Beverly C. Kurak, Teacher (General Public) - Opponent

Nassau Teachers' Association

P. O. Box 15940

Fernandina Beach Florida 32035

Phone: (904)219-3134

PCB KCOS 11-01

Timothy Farmer, Former Teacher (General Public) - Proponent

1728 Naldo Ave #1

Jacksonville Florida

Phone: (904)860-7554

PCB KCOS 11-01

Marshall Ogletree, Executive Director (Lobbyist) - Opponent

Pinellas Classroom Teachers Association

650 Seminole Blvd.

Largo Florida 33770

Phone: (727)585-6518

PCB KCOS 11-01

Melissa Stokes, Teacher (General Public) - Proponent

371767 Henry Smith Rd.

Hilliard Florida 32046

Phone: (904)349-1416

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Location: Morris Hall (17 HOB)

PCB KCOS 11-01

Scott Whittle (General Public) - Opponent

2904 Gallahadion

Tallahassee Florida 32309

Phone: (850)893-3134

PCB KCOS 11-01

Natalie Faucher, Teacher (General Public) - Opponent

Nassau County Teacher Association

32403 Pond Parke Place

Fernandina Beach Florida 32034

Phone: (904)813-4910

PCB KCOS 11-01

Mary Ellen Elia, Superintendent, Hillsborough County (General Public) - Information Only

Hillsborough County Public Schools

901 E. Kennedy Blvd.

Tampa Florida 33601

Phone: (813)272-4050

PCB KCOS 11-01

Victoria Young, Student (General Public) - Proponent

FSU P. O. Box 65428

Tallahassee Florida 32313

Phone: (850)284-0780

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COMMITTEE MEETING REPORT
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Location: Morris Hall (17 HOB)

Other Business Appearance:

Department of Education Presentation on Educator Employment Contracts

Judy Bone (State Employee) (At Request Of Chair) - Information Only

Department of Education-Office of General Counsel

325 W. Gaines Street

Tallahassee Florida 32399

Phone: (850)245-0442

Department of Education Presentation on Florida's Race to the Top

Dr. Frances Haithcock, Chancellor (Lobbyist) (State Employee) (At Request Of Chair) - Information Only

Department of Education, Division of Public Schools

325 W. Gaines Street

Tallahassee Florida 32399

Phone: (850)245-0509

Department of Education Presentation on Value Added Model

Juan Copa (State Employee) (At Request Of Chair) - Information Only

Department of Education-Division of Public Schools

325 W. Gaines Street

Tallahassee FL 32399

Phone: 850-245-0744

Committee meeting was reported out: Wednesday, February 23, 2011 5:24:52PM

SUBCOMMITTEE AMENDMENT

PCB Name: PCB KCOS 11-01 (2011)

Amendment No. 1

SUBCOMMITTEE ACTION

ADOPTED (Y) (N)

ADOPTED AS AMENDED (Y/N)

ADOPTED W/O OBJECTION (Y/N)

FAILED TO ADOPT (Y/N)

WITHDRAWN (Y/N)

OTHER

ADOPTED
2-23-11

1 Subcommittee hearing PCB: K-20 Competitiveness Subcommittee
 2 Representative(s) Fresen offered the following:

Amendment

Remove lines 733-735 and insert:

3
 4
 5
 6 3. Has not received two consecutive annual performance
 7 evaluation ratings of unsatisfactory, two annual performance
 8 evaluation ratings of unsatisfactory within a 3-year period, or
 9 three consecutive annual performance evaluation ratings of needs
 10 improvement or a combination of needs improvement and
 11 unsatisfactory under s. 1012.34.
 12

Amendment No. 2

SUBCOMMITTEE ACTION

ADOPTED (Y/N)
ADOPTED AS AMENDED (Y/N)
ADOPTED W/O OBJECTION (Y/N)
FAILED TO ADOPT (Y/N)
WITHDRAWN (Y/N)
OTHER

ADOPTED
2-23-11

1 Subcommittee hearing PCB: K-20 Competitiveness Subcommittee
2 Representative(s) Fresen offered the following:

Amendment

Remove lines 869-875 and insert:

(5) REPORT.—

(a) Beginning July 1, 2012, the Department of Education shall annually report on its website, in a manner that is accessible to the public, the performance rating data reported by district school boards under s. 1012.34. The report must include the percentage of classroom teachers, instructional personnel, and school administrators receiving each performance rating aggregated by school district and by school.

(b) Notwithstanding the provisions of s. 1012.31(3)(a)2., each school district shall annually report to the parent of any student who is assigned to a classroom teacher or school administrator having two consecutive annual performance evaluation ratings of unsatisfactory under s. 1012.34, two annual performance evaluation ratings of unsatisfactory within a

SUBCOMMITTEE AMENDMENT

PCB Name: PCB KCOS 11-01 (2011)

Amendment No. 2

20 3-year period under s. 1012.34, or three consecutive annual
21 performance evaluation ratings of needs improvement or a
22 combination of needs improvement and unsatisfactory under s.
23 1012.34. Schools

SUBCOMMITTEE AMENDMENT

PCB Name: PCB KCOS 11-01 (2011)

Amendment No. 3

SUBCOMMITTEE ACTION

ADOPTED (Y/N)

ADOPTED AS AMENDED (Y/N)

ADOPTED W/O OBJECTION (Y/N)

FAILED TO ADOPT (Y/N)

WITHDRAWN (Y/N)

OTHER _____

ADOPTED
2-23-11

1 Subcommittee hearing PCB: K-20 Competitiveness Subcommittee
2 Representative(s) Fresen offered the following:

Amendment

5 Remove lines 955-958 and insert:

6 misconduct in office, incompetency, two consecutive annual
7 performance evaluation ratings of unsatisfactory under s.
8 1012.34, two annual performance evaluation ratings of
9 unsatisfactory within a 3-year period under s. 1012.34, three
10 consecutive annual performance evaluation ratings of needs
11 improvement or a combination of needs improvement and
12 unsatisfactory under s. 1012.34, gross insubordination, willful
13 neglect

Amendment No. 4

SUBCOMMITTEE ACTION

ADOPTED	<input checked="" type="checkbox"/> (Y/N)
ADOPTED AS AMENDED	<input type="checkbox"/> (Y/N)
ADOPTED W/O OBJECTION	<input type="checkbox"/> (Y/N)
FAILED TO ADOPT	<input type="checkbox"/> (Y/N)
WITHDRAWN	<input type="checkbox"/> (Y/N)
OTHER	<input type="checkbox"/>

ADOPTED
2-23-11

1 Subcommittee hearing PCB: K-20 Competitiveness Subcommittee
2 Representative(s) Fresen offered the following:

Amendment

5 Remove lines 1003-1007 and insert:

6 (d)~~(e)~~ A professional service contract shall be renewed each
7 year unless:

8 1. The district school superintendent, after receiving the
9 recommendations required by s. 1012.34, charges the employee
10 with unsatisfactory performance and notifies the employee of
11 performance deficiencies as required by s. 1012.34; or

12 2. The employee receives two consecutive annual
13 performance evaluation ratings of unsatisfactory under s.
14 1012.34, two annual performance evaluation ratings of
15 unsatisfactory within a 3-year period under s. 1012.34, or three
16 consecutive annual performance evaluation ratings of needs
17 improvement or a combination of needs improvement and
18 unsatisfactory under s. 1012.34.

Amendment No. 5

COUNCIL/COMMITTEE ACTION

ADOPTED — (Y/N)
ADOPTED AS AMENDED — (Y/N)
ADOPTED W/O OBJECTION — (Y/N)
FAILED TO ADOPT ✓ (Y/N)
WITHDRAWN — (Y/N)
OTHER —

1 Council/Committee hearing PCB: K-20 Competitiveness
2 Subcommittee
3 Representative Bullard offered the following:
4

5 **Amendment**

6 Remove lines 713-735 and insert:

7 (d) "Professional performance contract" means an
8 employment contract for instructional personnel for a period of
9 3 school years, which shall be renewed for additional 3-year
10 periods as long as the individual has not received two
11 consecutive unsatisfactory evaluations under s. 1012.34, two
12 unsatisfactory evaluations within a 3-year period under s.
13 1012.34, or three evaluations of needs improvement within any 5-
14 year period under s. 1012.34.

15 (2) EMPLOYMENT-

16 (a) Beginning on July 1, 1011, each individual newly hired
17 as instructional personnel by a Florida school district shall
18 receive a probationary contract.

19 (b) The district school board may issue an annual contract

Amendment No. 5

20 to instructional personnel who have successfully completed the
21 probationary contract if the individual:

22 1. Holds a professional certificate or temporary
23 certificate issued pursuant to s. 1012.56 and rules of the State
24 Board of Education.

25 2. Has been recommended by the district school
26 superintendent for the annual contract based upon the
27 individual's evaluation, as determined under s. 1012.34, and
28 approved by the district school board.

29 (c) Upon completion of no less than 3 years of employment
30 in the same school district within a 5-year period, except for
31 leave duly authorized and granted, instructional personnel
32 recommended for additional employment shall be awarded a
33 professional performance contract. Instructional personnel may
34 be required to serve a fourth year of employment before becoming
35 eligible to receive a professional performance contract when
36 prescribed by the district school board for good reason.

37 1. A professional performance contract may be offered by a
38 district school board to instructional personnel only if the
39 individual:

40 a. Holds a professional certificate or temporary
41 certificate as prescribed by s. 1012.56 and rules of the State
42 Board of Education.

43 b. Has been recommended by the district school
44 superintendent for further employment and approved by the
45 district school board based on successful performance of duties
46 and demonstration of professional competence under s. 1012.34.

47 c. Has not received two consecutive unsatisfactory

COUNCIL/COMMITTEE AMENDMENT

PCB Name: PCB KCOS 11-01 (2011)

Amendment No. 5

48 evaluations under s. 1012.34, two unsatisfactory evaluations
49 within a 3-year period under s. 1012.34, or three evaluations of
50 needs improvement within any 5-year period under s. 1012.34.

51 2. A district school board may issue a professional
52 performance contract after July 1, 2011, to any instructional
53 personnel staff member who has previously held a professional
54 performance contract, a professional service contract, or a
55 continuing contract in the same or another school district
56 within this state. Any instructional personnel staff member who
57 holds a professional service contract or a continuing contract
58 may, but is not required to, exchange such contract for a
59 professional performance contract in the same district.

60 3. If a professional performance contract is not renewed
61 by the district school board based on performance of duties and
62 demonstration of professional competence of the individual under
63 s. 1012.34, upon the recommendation of the superintendent and
64 upon the approval of the district school board, the individual
65 may be appointed to up to three additional annual contracts or
66 not be offered an additional contract. At the time of making
67 such recommendation to the district school board, the
68 superintendent shall state the performance-based reason for his
69 or her recommendation and the district school board shall take
70 final action on such recommendation.

COUNCIL/COMMITTEE AMENDMENT

PCB Name: PCB KCOS 11-01 (2011)

Amendment No. 6

COUNCIL/COMMITTEE ACTION

ADOPTED (Y/N)

ADOPTED AS AMENDED (Y/N)

ADOPTED W/O OBJECTION (Y/N)

FAILED TO ADOPT (Y/)

WITHDRAWN (Y/N)

OTHER _____

1 Council/Committee hearing PCB: K-20 Competitiveness

2 Subcommittee

3 Representative Bullard offered the following:

4

5 **Amendment (with title amendment)**

6 Between lines 1142 and 1143, insert:

7 Section 16. Notwithstanding any other provision of law to

8 the contrary, a teacher who maintains a highly effective rating

9 through the instructional personnel performance evaluation

10 system during 3 years out of a 4-year period shall receive a

11 professional service contract for 5 years. A teacher who

12 maintains an effective rating through the instructional

13 personnel performance evaluation system during 2 years out of a

14 3-year period shall receive a professional service contract for

15 3 years.

16

17

18

19

T I T L E A M E N D M E N T

COUNCIL/COMMITTEE AMENDMENT

PCB Name: PCB KCOS 11-01 (2011)

Amendment No. 6

20 Remove line 59 and insert:
21 the act; providing that teachers receiving certain performance
22 evaluations shall receive a professional service contract;
23 authorizing exemption from requirements for